

August 24, 2005

Re: Michael Finn d/b/a  
Drywall City and Painting  
Case 33-RC-4730

TODD M DOTSON  
PAINTERS DISTRICT COUNCIL #30  
LOCAL UNION #209  
3813 ILLINOIS AVE  
SAINT CHARLES IL 60174

Dear Mr. Dotson:

Your petition seeking an election among certain employees of Michael Finn d/b/a Drywall City and Painting has been carefully investigated and considered.

***Decision to Dismiss:*** Based on that investigation, I have concluded that further proceedings are not warranted, and I am dismissing your petition for the following reasons:

By letter dated August 10, 2005, you were notified by this Office that processing of the instant petition was resumed after closing of an unfair labor practice case that had suspended the processing of the petition. Because of the passage of time since the initial election agreement was approved on October 10, 2003, it became necessary to renegotiate provisions of that agreement, and your input was solicited for new election arrangements. You did not respond to that August 10 letter. Thereafter, by letter dated August 16, 2005, you were requested to contact this Office no later than August 19 regarding additional election issues, and that failing such you risked dismissal of the petition for lack of cooperation on your behalf. You did not respond to this request. You have failed to cooperate in the processing of the petition, and I am, therefore dismissing the petition.

***Your Right to Obtain a Review of Dismissal Action:*** Pursuant to the National Labor Relations Board's Rules and Regulations, any party may obtain a review of this action by filing a request for review with the National Labor Relations Board, 1099 14<sup>th</sup> Street, NW, Washington, DC 20570. If you file a request for review, you must also send a copy to the other parties to this proceeding and to me.

***Request for Review Due Date:*** The request for review must be received by the Executive Secretary for the Board by the close of business at 5:00 p.m. [EST or EDT, as appropriate] on September 7, 2005. However, if you mail the request for review, it will be considered timely if it is postmarked no later than the day before the due date.

***Extension of Time to File Request for Review:*** Upon good cause, the Board may grant special permission for a longer period within which to file a request for review. If you file a request for extension of time with the Executive Secretary in Washington, you must send a copy of your request to the other parties to this proceeding and to me.

***Request for Review Contents:*** The request for review must contain a complete statement setting forth the facts and the reasons that support your request for review of the decision to dismiss the petition. The request for review and any request for extension of time must include a

statement that a copy has been served on the other parties to this proceeding and on me and that service has been accomplished in the same or faster manner as that used to serve the Board.

***E-Filing:*** In the Regional Office's initial correspondence, the parties were advised that the National Labor Relations Board has expanded the list of permissible documents that may be electronically filed with its offices. If a party wishes to file the above-described document electronically, please refer to the Attachment supplied with the Regional Office's initial correspondence for guidance in doing so. The guidance can also be found under "E-Gov" on the National Labor Relations Board web site: [www.nlr.gov](http://www.nlr.gov).

Very truly yours,

/s/ Leonard J. Perez

Leonard J. Perez, Acting Regional Director  
Subregion 33

cc:

EXECUTIVE SECRETARY  
NATIONAL LABOR RELATIONS BOARD  
OFFICE OF REPRESENTATION APPEALS  
FRANKLIN COURT  
1099 - 14TH ST NW  
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